

Garden West Office Plaza
Suite 220
1900 Garden Road
Monterey, CA 93940
Tel. 831-655-0880
Fax 831-655-0888

GUNNISON, MCKAY & HODGSON, LLP

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| To: | USPTO Examiner Diem K. Cao | From: | Forrest Gunnison |
| Tel.: | (571) 272-3760 | Pages: | 8 (including this page) |
| Fax: | (703) 872-9306 | Date: | February 10, 2005 |

Re: Applicant(s): Martin Matula et al.
Assignee: Sun Microsystems, Inc.
Title: APPARATUS FOR DYNAMIC IMPLEMENTATION OF JAVA™
METADATA INTERFACES
Serial No.: 09/848,392 Filing Date: May 2, 2001
Examiner: Diem K. Cao Group Art Unit: 2126
Docket No.: P-5775CNT

Enclosed herewith are:

Substance of Telephonic Interview Under 37 C.F.R. 1.133(b) and Submission of
Terminal Disclaimer (2 pages) with:

- a. Revocation and Substitution of Power of Attorney Under 37 C.F.R. § 1.36
(2 pages); and
- b. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection
Over a Pending Second Application Including Statement Under 37 CFR
3.73(B) (3 pages).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile
transmitted to the U.S. Patent and Trademark Office, Fax No.
(703) 872-9306, on February 10, 2005.

Mona Marshall

Mona Marshall

February 10, 2005
Date of Signature

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Appl. No. 09/848,392
Amdt. dated February 10, 2005
Reply to Telephonic Action of February 9, 2005

FEB 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Martin Matula et al.

Assignee: Sun Microsystems, Inc.

Title: APPARATUS FOR DYNAMIC IMPLEMENTATION OF JAVA™
METADATA INTERFACES

Serial No.: 09/848,392 Filed: May 2, 2001

Examiner: Diem K. Cao Group Art Unit: 2126

Docket No.: P-5775CNT

Monterey, CA
February 10, 2005

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBSTANCE OF TELEPHONIC INTERVIEW UNDER 37 C.F.R. 1.133(b) AND
SUBMISSION OF TERMINAL DISCLAIMER

On February 9, 2005, Applicants' attorney received a new telephonic provisional obviousness-type double patenting rejection in view of the paper filed by Applicants on January 20, 2005. Applicants' attorney agreed to discuss the rejection with the Assignee and get back to the Examiner with a decision. Later on February 9th, Applicants' attorney left a telephonic message for the Examiner that a terminal disclaimer would be filed.

The Examiner also requested that a New Power of Attorney be submitted.

Enclosed herewith is a Revocation and Substitution of Power of Attorney Under 37 C.F.R. § 1.36. Applicants respectively submit that this paper is responsive to the Examiner's request.

Also, enclosed herewith is a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending Second Application Including Statement Under 37 CFR 3.73(B).

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The Commissioner is hereby authorized to charge the fee of \$130.00 under 37 C.F.R. §1.20(d) to Deposit Account No. 50-0553

Since a Terminal Disclaimer with the required fee is being submitted, Applicants respectfully request reconsideration and withdrawal of the provisional obviousness-type double patenting rejection.

☒ Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed documents after all papers filed with this transmittal have been considered, Applicant(s) hereby petition for such an extension of time.

☒ The Commissioner is hereby authorized to charge any additional fees required for consideration of the enclosed documents, and to credit any overpayment of fees to Deposit Account No. 50-0553.

If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (703) 872-9306, on February 10, 2005.


Mona Marshall

February 10, 2005
Date of Signature

Respectfully submitted,



Forrest Gunnison
Attorney for Applicant(s)
Reg. No. 32,899